



STATE SENATOR

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2004 Post-Session Newsletter

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Forensic Diversion Program To Be One of Nation's Best

New law will help alleviate crowded prisons

House Enrolled Act 1437, in conjunction with provisions in the 2003 budget bill, sets up a landmark forensic diversion program.

The program allows offenders guilty of non-violent crimes to be diverted to a local community corrections program, which includes treatment of mental illness or substance abuse problems. It has the potential to reduce the prison population, thereby saving taxpayer dollars.

Avoiding incarceration with hardened criminals, integrating offenders into jobs and community, and providing treatment has the potential to reduce the high rate of re-imprisonment which has plagued the criminal justice system.

The forensic diversion program excludes certain criminals, such as sex offenders and violent offenders. Additionally, the new law establishes a Forensic Diversion Study Committee to evaluate the effectiveness and appropriateness of the program.

The high rate of re-imprisonment provides ample evidence that the current system of incarcerating all types of offenders is not working well. A major goal of the corrections system is to help offenders become law-abiding productive members of the community. This program has the potential to help rehabilitate offenders, keep the community safe, and save tax money.



State Senator

Gary 'Doc' Dillon

Serving District 17 — Allen, Grant, Huntington, Kosciusko,
Wabash & Whitley Counties



2004 Facts & Figures

The Second Regular Session
of the 113th General Assembly
began on Organization Day,
November 18, 2003,
and adjourned March 4, 2004.

This non-budget year is known as
the "short" session.

Senate bills introduced: 503
Senate joint resolutions introduced: 10

Senate bills passed: 18
Senate joint resolutions passed: 0

House bills introduced: 459
House joint resolutions introduced: 7

House bills passed: 80
House joint resolutions passed: 0

Percent of introduced bills that were
sent to the governor: 10%

For more information
about the General Assembly's
2004 session,
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Protecting Our Children

One of the most important issues addressed during the recent session was child protection. I spent a great deal of time and effort on this topic. I worked as author and sponsor on two bills that will reduce the risk of child abuse, neglect and molestation. Recent cases where innocent children have suffered prompted this push to improve protective services.

One of these bills sets up more safeguards for children placed outside the home, including more extensive background checks for home placement. Anthony Bars was an Indianapolis child who was placed with a family member who had a history of abuse. Anthony died tragically of abuse and neglect. Situations like these can be avoided with the help of this legislation.

Another bill allows child protective services to quickly help a child who lives in the same home as another child who has been sexually abused by an adult in the home. If one child in a household is

sexually abused by an adult in the household, statistics show that there is an 80 percent chance that other children in the home have been abused as well. This legislation will allow these other children to be classified as "at risk" and treated appropriately and quickly.

Other provisions in these bills set up a fatality review team to investigate unexpected deaths of children. In addition, the state is required to publicly disclose information relevant to the death of a child because of abuse, abandonment or neglect. State agencies must be held accountable.

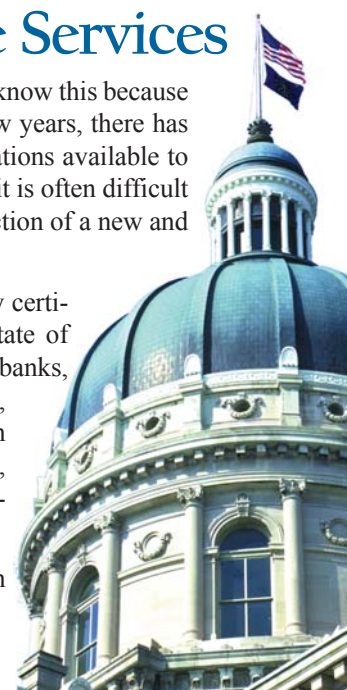
Overall, the number of deaths in Indiana related to child abuse is down. The number dropped from 69 in 2002 to 51 in 2003. One child's death, though, is too many and we must do better. We must give agencies the tools and guidelines they need to protect Indiana's children and we must hold them accountable. This legislation is a major step forward and I am proud to have been involved in crafting it.

Telephone 211 Dialing Code Services

There are many people who need help at one time or another. I know this because people often call my office for help. Happily, in the past few years, there has been a dramatic increase in the number of agencies and organizations available to assist with problems that citizens may encounter. In spite of this, it is often difficult for a person to know where to turn for answers. With the introduction of a new and free telephone service, help is now a short phone call away.

2-1-1 is a new service that provides immediate access to every certified social service agency and non-profit organization in the state of Indiana. 2-1-1 offers resources for human needs, such as food banks, shelters, and rent assistance, as well as employment assistance, and financial and educational programs. It also offers information on health insurance programs, support groups, home health care, after school programs, protective services, and volunteer opportunities.

Currently, 20 counties are using 2-1-1, and a law has been passed to establish the program — see 2-1-1, page 2



Medicare Fraud Schemes Target Senior Citizens

Senior citizens should be alert and aware of identity theft schemes that are intended to defraud the Medicare program. Although this program is run by the federal government, state legislators have been alerted to a scam that could carry a devastating cost.

There have been reports in Indiana, Nebraska, Oklahoma and Georgia of individuals going door-to-door to sign up senior citizens for the Medicare Prescription Drug Cards or to sell them Medigap insurance. Seniors are offered an opportunity to sign up in exchange for their Medicare numbers. MEDICARE DOES NOT GO DOOR-TO-DOOR.

Seniors can protect themselves:

- Never give your Medicare, Medicaid, or Social Security number to anyone who comes to your door.
- Never give these numbers to anyone who promises "free services."
- Hang up on telemarketers who ask for any of these numbers or for your bank account number.

Call, toll-free, 1-800-986-3505 to report suspected Medicare fraud and abuse. It will ring into your local Area Agency on Aging. Area Agencies are part of the Medicare fraud prevention project called Senior ESP. All suspected fraud and abuse case information is confidential.

Election Reform:



Restoring trust to the democratic process

When we vote we assume that elections are fair and accurate. Most elections are, but questionable voter practices have been uncovered in some localities. Secretary of State Todd Rokita worked with the General Assembly this session to pass a series of election reforms aimed at ensuring elections are conducted fairly, cleanly and legally.

Senate Enrolled Act 72 focuses heavily on voter registry lists and voting systems, two areas where fraud and error most often occur. This act gives counties the authority to purge county voting rolls to eliminate from the list those who have died or left the county. Previously, these lists were not regularly updated. Therefore, the names of deceased voters or voters that left the precinct were prime targets for fraudulent voting.

Now, the county voter registration office can conduct a voter list maintenance program. Each county must mail out notices to all registered voters. If the voter fails to respond, he or she is classified as inactive and must be cancelled by the office after the second election.

"The right to vote is a consequence, not a primary cause, of a free social system, and its value depends on the constitutional structure implementing and strictly delimiting the voters' power."

— Novelist Ayn Rand

The second major area addressed in SEA 72 is voting systems. The act gives the Indiana Election Commission the authority to control what voting systems are sold and marketed in the state. We must be certain that voting systems are accurate and reliable.

Election reforms were some of the most significant changes made during this short legislative session. America is a representative democracy, based on the idea that citizens choose their leaders. Ballot fraud that weakens the election process must not be tolerated.

2-1-1 CONTINUED FROM PAGE 1

throughout Indiana. House Enrolled Act 1344 requests absolutely no state money, while creating an account for future funds. 2-1-1 is generally funded with money from the United Way and their partnership with Cinergy. The Cinergy Foundation, funded by Cinergy shareholders, has pledged over \$600,000 to help fund this program over the next three years.

2-1-1 works in the same way that 9-1-1 operates for emergencies and 4-1-1 works for general information. The goal is to have this service available 24 hours per day, 7 days per week. The State will continue to work diligently with the Indiana 211 Partnership to develop this service statewide.

HEA 1344 passed the full Senate and House and now is waiting for the governor's signature.

Status - of the - STATE FINANCES

The short session, or non-budgetary session, has drawn to a close. Some good legislation passed; however, the state's financial woes hung over the proceedings like a dark cloud.

We all are aware of Indiana's financial problems. While there are many factors leading up to this over many years, the loss of revenue due to the recent recession has been a major factor. Nearly all states are feeling the pinch. We have all seen the ups and downs of the economy over many years. Unfortunately, this downturn has been slow to turn about. Although we are seeing signs that the economy is starting on an upswing, job growth and state revenues continue to lag.

Currently, Indiana is facing nearly a \$ 1 billion structural budget deficit. We have balanced our budget for three years by living on our reserves. I think that this is reasonable up to a point. For several thousand years it has been written that one builds reserves during the good years in order to survive the lean years. Unfortunately, this recession is lasting longer than expected. The reserves are nearly gone.

Although all states have a similar problem, Indiana has been particularly hard hit. Manufacturing has been the mainstay of our economy for many years. Manufacturing across the U.S. has taken a major hit. Many jobs are going overseas. Certainly, Indiana must continue to nurture manufacturing, but we also must diversify.

Some folks say, "just cut everything and balance the budget." That is one approach, certainly. Unfortunately, it would be very difficult to make enough cuts to balance the budget by cuts alone. Between education, Medicaid, and property tax replacement, 80 percent of the budget is taken — before factoring in prisons!

Medicaid can't be cut significantly since it is an entitlement. In a recession, when more people qualify, we will do well to hold the line on Medicaid. Do we want to cut property tax relief? Most want lower property taxes rather than higher property taxes. Is it wise to cut education when we need to diversify our economy and try to add more high-paying jobs? I really don't think so. Cutting education could be counterproductive in the long run. Some argue that we should invest more. Notwithstanding the concerns of the present,



During a Senate session day, Senator Dillon speaks on a resolution . The Senate hears a number of resolutions throughout session congratulating groups and individuals from across the state.

we must also look to the future.

Certainly the administration must cut as much as possible. Cuts are definitely overdue. However, cuts will not provide a long term solution to our difficulties. We must improve the Indiana economy. We must create more and better jobs. During the last couple of years, the legislature has restructured taxes to make Indiana one of the most business friendly states in the union. We have made investments in start-up companies through the 21st century fund and in incubators of business and technology in partnership with our great universities. We have invested in one of our strong points, namely biotechnology, through IU medical school. These initiatives will bear fruit in time, but they are not quick fixes. I see no magic solution.

During this most recent session, the legislature added more economic development initiatives. Hoosiers will persevere in this difficult time.

During this most recent session, the legislature added more economic development initiatives. Research and development credits were expanded. The Emerging Technology Fund was added to the 21st Century Fund. Community revitalization credits were expanded. These and several other initiatives add to the efforts to revitalize the Indiana economy.

Unless the Indiana economy makes a rapid turnabout, I think that there are some difficult times ahead as we try to craft a budget next year. So far, the economy simply has not come back as quickly and as strongly as was expected, particularly in terms of job growth and state revenue. When cuts are made and unpleasant choices emerge, we must be patient. Hoosiers are stoic, hard working and resilient people. We will persevere in this difficult time. With the new tax changes and economic incentives, Indiana will emerge stronger than ever.

HOUSE ENROLLED ACT 1265 — Establishes a program pooling state employees to negotiate lower prices for bulk purchases of prescription drugs. Applies to schools, state colleges and universities, and cities and towns. **PASSED. My vote: YES**

SENATE BILL 85 — Makes it illegal to have open alcoholic beverage containers in a motor vehicle, regardless of whether or not the driver has been drinking. This law could have brought Indiana \$13.5 million in federal funds. **FAILED. My vote: YES**

HOUSE ENROLLED ACT 1229 — Changes several provisions in the Indiana Code that will protect consumers from predatory lending. Establishes the homeowner protection unit in the office of the attorney general. **PASSED. My vote: YES**

HOUSE ENROLLED ACT 1273 — Modifies and improves the comprehensive health insurance association (ICHIA). ICHIA makes medical insurance available for Hoosiers who can not otherwise obtain insurance. **PASSED. My vote: YES**

SENATE ENROLLED ACT 296 — Increases certain property tax deductions to reflect inflation. Applies to elderly; disabled; disabled veteran; WWI veteran and surviving spouses; residential, historic and distressed area property rehabilitation. **PASSED. My vote: YES**

SENATE BILL 86 — Prohibits a state agency from releasing the Social Security number of an individual unless required by law or court order or meets other exceptions. **FAILED. My vote: YES**